

REMARKS

A. Regarding the Amendments

Claims 1-19 were previously canceled. Claims 20-35 and 37 are canceled by the present amendment, without prejudice. Claims 36 and 46 have been amended to claim the subject matter of the invention with greater particularity and specificity. No new matter have been added. After this amendment has been entered, claims 36 and 38-47 will be pending. Specifically, claim 46 has been amended to clarify the claim's dependency.

It was suggested by the Examiner that claim 36 contains allowable subject matter (item 19, page 13 of the Office Action). Accordingly, claim 36 has been amended and is now presented in independent that includes all of the limitations of the base claim 20 and the intervening claim 26.

B. Rejection Under 35 U.S.C. § 112, First Paragraph

Claim 37 has been rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement (item 5 on page 3 of the Office Action). By the present amendment claim 37 has been canceled without prejudice. Accordingly, it is submitted that the 35 U.S.C. § 112, first paragraph, rejection has become moot. Reconsideration and withdrawal of the rejection are respectfully requested.

C. Rejection Under 35 U.S.C. § 112, Second Paragraph

Claim 37 has been rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite (item 7 on pages 3-4 of the Office Action). By the present amendment claim 37 has been canceled without prejudice. Accordingly, it is submitted that the 35

U.S.C. § 112, second paragraph, rejection has become moot. Reconsideration and withdrawal of the rejection are respectfully requested.

D. Rejections Under 35 U.S.C. § 103 (a)

Claims 20-22, 26, and 31 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,251,581 to Ullman et al. in view of U.S. Patent No. 5,698,401 to Fesik et al. (item 10, pages 4-5 of the Office Action). In addition, claim 37 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ullman et al. in view of U.S. Patent No. 6,372,215 to Starling et al. (item 11, pages 5-7 of the Office Action). In addition, claims 23-25, 33, and 46 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ullman et al. in view of Fesik et al. and further in view of U.S. Patent No. 6,060,253 to Gelboin et al. (item 12, page 7 of the Office Action).

Also, claims 27 and 28 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ullman et al. in view of Fesik et al. and further in view of U.S. Patent No. 6,406,913 to Ullman et al. (item 13, page 8 of the Office Action). In addition, claim 29 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ullman et al. in view of Fesik et al. and further in view of U.S. Patent No. 5,157,032 to Barton (item 14, pages 8-9 of the Office Action). Furthermore, claim 30 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ullman et al. in view of Fesik et al. and further in view of U.S. Patent No. 5,696,157 to Wang et al. (item 15, pages 9-10 of the Office Action). Also, claim 32 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ullman et al. in view of Fesik et al. and further in view of U.S. Patent No. 5,569,745 to Goodbody et al. (item 16, pages 10-11 of the Office Action).

In addition, claim 34 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ullman et al. in view of Fesik et al. and further in view of

Gelboin et al. and further in view of U.S. Patent No. 5,506,251 to Thirugnanam (item 17, page 11 of the Office Action). Finally, claim 35 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ullman et al. in view of Fesik et al. and further in view of Leung et al. (item 18, page 12 of the Office Action).

By the present amendment claims 20-35 and 37 have been canceled without prejudice. Accordingly, it is submitted that the 35 U.S.C. § 103(a), rejection has become moot with respect to claims 20-35 and 37. With regard to claim 46, this claim has been amended and now depends on the allowed claim 38; thus, claim 46 is considered patentable for at least the same reason. Reconsideration and withdrawal of the rejection are respectfully requested.

E. Objections

The Examiner has objected to the declaration due to the alleged non-compliance with 37 C.F.R § 1.67(a). The Applicants have executed a new declaration which complies with 37 C.F.R § 1.67(a). Accordingly, it is submitted that the objection no longer applies. Reconsideration and withdrawal of the objection are respectfully requested.

The Examiner has objected to claim 46 because of the defective dependency. By the present amendment, claim 46 has been amended to clarify the claim's dependency, as suggested by the Examiner. Accordingly, it is submitted that the objection no longer applies. Reconsideration and withdrawal of the objection are respectfully requested.

In the Application of
Gray et al.
Application Serial No.: 10/031,532
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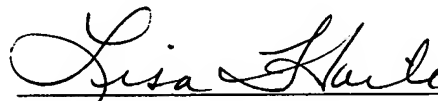
CONCLUSION

In view of the above amendments and remarks, reconsideration and favorable action on all claims are respectfully requested. If the Examiner would like to discuss any of the issues raised in the Final Office Action, Applicant's representative can be reached at (858) 677-1456.

Check No. 581164 in the amount of \$60.00 is enclosed as payment for the one-month extension of time fee. No other fees are deemed necessary with the filing of this paper. However, the Commissioner is hereby authorized to charge any other fees that may be required by this paper or credit any overpayment to Deposit Account 07-1896 referencing the above-identified attorney docket number. A duplicate copy of the Transmittal Sheet is enclosed.

Respectfully submitted,

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